

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS
CALLING FOR A RUNOFF ELECTION TO BE HELD ON DECEMBER 12, 2020
FROM THE 2020 GENERAL ELECTION CITY; AND MAKING PROVISIONS FOR THE
CONDUCT OF THE ELECTION; AND AUTHORIZING A CONTRACT WITH EL PASO
COUNTY TO FURNISH ELECTION SERVICES AND EQUIPMENT.**

WHEREAS, following its General City Election held on November 3, 2020, the City of El Paso ("City") has found it necessary under the City of El Paso Charter and the laws of the State of Texas to hold a runoff election to fill the positions of Mayor, two District Representatives from Single-Member District Nos. 2 and 4, and the Judges of the Municipal Court No. 4 and the Municipal Court of Appeals; and

WHEREAS, the City will hold a runoff election on December 12, 2020 to fill the aforementioned positions, to be elected by a majority of the votes cast.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

SECTION 1 – OFFICIAL POSITIONS TO BE FILLED WITH RUNOFF ELECTION

A runoff election of the City of El Paso is hereby called to take place on December 12, 2020, for the purpose of electing the following named officers of the City of El Paso:

Mayor
District Representative No. 2
District Representative No. 4
Judge, Municipal Court No. 4
Judge, Municipal Court of Appeals

Such runoff election shall be held in the manner and form prescribed by the laws of the State of Texas. At such runoff election, all qualified voters of the City shall be permitted to vote, and shall vote at the polling place designated for the election precinct in which they reside, or as allowed by applicable State Law, to elect the Mayor and Judge, Municipal Court No. 4 and Judge, Municipal Court of Appeals. The qualified voters who reside in the Representative District Nos. 2 and 4 shall vote for the Representative in their respective district. The candidate receiving a majority of the votes cast for each position shall be declared elected to such office.

Such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other locations as may be designated prior to the election by the El Paso County Elections Administrator or City Clerk, attached hereto and made a part hereof for all purposes, and said polling places shall open at 7 a.m. and remain open until 7 p.m. on the day of the election.

SECTION 2 – ELECTION SERVICES CONTRACT WITH COUNTY

The City Manager is hereby authorized to execute a contract, joint or otherwise, with the El Paso County Elections Administrator for the purpose of having El Paso County furnish all or any portion of the election services and equipment needed by the City Clerk to conduct the runoff election. The contract document and election services provided therein shall conform to Chapter 31, Subchapter D, of the Texas Election Code and all other applicable statutes and laws.

The election services contract shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b) notification and training for election judges and

clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting equipment and voting machine rental, and (e) other procedures necessary to conduct the election.

SECTION 3 – EARLY VOTING CLERK FOR THE RUNOFF ELECTION

Lisa Wise, El Paso County Elections Administrator, 500 E. San Antonio, Suite 314, El Paso, Texas, 79901, is hereby appointed as Early Voting Clerk.

SECTION 4 – EARLY VOTING

Early voting by personal appearance shall be conducted at the El Paso County Courthouse, located at 500 E. San Antonio, El Paso, Texas 79901. In addition, early voting may also occur at such branch early voting polling places as are designated herein or otherwise designated by the El Paso County Elections Administrator and posted at City Hall by the City Clerk. The locations and hours for early voting by personal appearance shall be authorized for such election as set forth in Exhibit "A."

In addition, mobile voting stations may be authorized and used for early voting at publicly owned buildings in the City as established by the El Paso County Elections Administrator. The City Clerk is authorized to make corrections or revisions to the list of these mobile stations, including the respective hours for early voting by personal appearance at these stations. The City Clerk is further authorized to make corrections or revisions to the list of early voting stations as set forth above, including the respective hours for early voting by personal appearance at these stations, and revise and correct all election notices regarding the early voting locations and the mobile voting stations, and the dates and times for such voting.

For purposes of processing ballots cast in early voting, the election officers for the Early Voting Ballot Board shall be appointed and designated in accordance with the provisions of the election agreement with El Paso County.

SECTION 5 – VOTING MACHINES AND ELECTION RESULTS

Voting machines used for the conduct of the runoff election, shall be procured, maintained, operated, sealed and the votes therefrom tabulated pursuant to procedures established and authorized by the laws of the State of Texas.

The results of the runoff election shall be certified, canvassed, and returned in the form and manner prescribed by law.

SECTION 6 – NOTICE OF ELECTION

The notice of the runoff election hereby ordered and called shall be promulgated, published and posted in keeping with the state and local laws. A substantial copy of this resolution shall serve as proper notice of said election.

The City Clerk shall give notice of such runoff election by posting a notice of such election in English and Spanish in the Office of the City/Municipal Clerk as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law.

The City Clerk shall deliver notice of this runoff election to the county clerk and voter registrar of El Paso County, as required by law.

SECTION 7 – COMPLIANCE WITH APPLICABLE LAWS

The City Manager and the City Clerk, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the runoff election, whether or not expressly authorized herein.

ADOPTED this 10th day of November, 2020.



ATTEST:

Laura D. Prine

Laura Prine
City Clerk

THE CITY OF EL PASO

Dee Margo

Dee Margo, Mayor

APPROVED AS TO FORM:

Kristen Hamilton-Karam

Kristen Lynn Hamilton-Karam
Senior Assistant City Attorney